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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

JEREMY JOHNSON, individually, as officer of  
Defendants I Works, Inc.; Cloud Nine, Inc.; CPA  
Upsell, Inc.; Elite Debit, Inc.; Internet Economy,  
Inc.; Market Funding Solutions, Inc.; and  
Success Marketing, Inc.; as a member of  
Defendant Network Agenda LLC; and as the *de*  
*facto* principal of numerous Defendant Shell  
Companies; I WORKS, INC., *et al.*

Defendants.

Case No. 2:10-cv-02203-RLH-GWF

JOINT STIPULATED MOTION  
BY THE FTC AND POWDER  
MONKEYS, LLC FOR POWDER  
MONKEYS, LLC TO TRANSFER  
\$99,883 TO THE RECEIVER TO  
BE HELD IN ESCROW

1 Plaintiff Federal Trade Commission (“FTC” or “Commission”) and Powder Monkeys,  
2 LLC, and its manager, Todd Vowell, by and through the undersigned counsel, jointly move this  
3 Honorable Court to adopt and endorse this Joint Stipulated Motion to transfer \$99,883 to the  
4 Receiver in this action to be held in escrow by the Receiver, subject to the asset freeze in this  
5 action, until further Order of this Court, and as good grounds would further state as follows:

- 6 1. Powder Monkeys, LLC, and its manager, Todd Vowell, by filing this Stipulated Motion  
7 with the FTC, make no admission as to the truth of Plaintiff’s allegations in Paragraph 4,  
8 below. Powder Monkeys, LLC, and its manager, Todd Vowell, file this Stipulated  
9 Motion in order to cure any perception of any intentional or willful impropriety, unlawful  
10 action, or other willful misconduct in violation of this Court’s Temporary Restraining  
11 Order dated January 12, 2011 (“TRO”) and the subsequent Preliminary Injunction dated  
12 February 10, 2011, entered against defendant Jeremy Johnson and others;
- 13 2. Powder Monkeys, LLC, and its manager, Todd Vowell, deny any impropriety, unlawful  
14 action, or any other willful misconduct as it relates to matters set forth in Paragraph 4  
15 below.
- 16 3. Powder Monkeys, LLC, and its manager, Todd Vowell, contend that the \$99,883 should  
17 not be considered an asset of defendant Jeremy Johnson nor a part of the Jeremy Johnson  
18 Receivership Estate;
- 19 4. Plaintiff alleges:
  - 20 a. On or about August 11, 2010, a \$100,250 retainer was transferred from a Sunfirst  
21 Bank account ending in 6624 in the name of Powder Monkeys, LLC to the New  
22 York law firm of Paul, Weiss, Rifkind;
  - 23 b. Beginning on the day after entry of the TRO, defendant Jeremy Johnson engaged  
24 in email correspondence with an attorney at Paul, Weiss, Rifkind requesting that  
25 the remainder of any retainer at Paul, Weiss, Rifkind be transferred to another law  
26

firm for use in Johnson's defense in the FTC action before this Court;

c. After entry of the Preliminary Injunction, on or about February 28, 2011, Paul, Weiss, Rifkind issued a check for \$99,883 (the remainder of the retainer) made payable to Jeremy Johnson at 249 East Tabernacle, Suite 200, St. George, Utah, 84770; and

d. On or about March 2, 2011, defendant Jeremy Johnson endorsed the check for \$99,883 over to Powder Monkeys, LLC;

5. Plaintiff agrees that Powder Monkeys, LLC, and its manager, Todd Vowell, shall be deemed to have cured any alleged contempt of this Court's TRO and Preliminary Injunction related to Plaintiff's allegations in Paragraph 4, above, if Powder Monkeys, LLC and Todd Vowell transfer \$99,883.00 to the Receiver in this action within 30 days of this Court's endorsement of the Stipulated Motion;

6. Plaintiff, Powder Monkeys, LLC, and its manager, Todd Vowell, further stipulate that:

a. The \$99,883 shall be held in escrow by the Receiver until further Order of this Court;

b. Powder Monkeys, LLC may file a motion to show why the \$99,883 retainer should not be considered an asset of defendant Jeremy Johnson nor part of the defendant Jeremy Johnson Receivership Estate no sooner than one hundred eighty (180) days after the Court's endorsement of the Stipulated Motion and no later than thirty (30) days from this Court's entry of any Monetary Judgment against Defendant Jeremy Johnson;

c. The FTC shall have ten (10) days to file any opposition to such a motion by Powder Monkeys, LLC;

d. Powder Monkeys, LLC shall have five (5) days to file any reply to the FTC's opposition; and

1 e. Both the FTC and Powder Monkeys, LLC, and its manager Todd Vowell,  
2 stipulate that any such motion may be considered on the papers without need for a  
3 hearing.

4 **WHEREFORE**, Plaintiff Federal Trade Commission and Powder Monkeys, LLC and  
5 Todd Vowell pray this Honorable Court endorse this Joint Stipulated Motion for Powder  
6 Monkeys, LLC to transfer \$99,883 to the Receiver to be held in escrow until further Order of  
7 this Court.

8 Respectfully submitted,

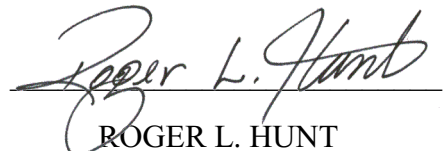
9 Dated: August 11, 2011

10  
11 /s/ Zachary Wiseman  
12 Zachary Wiseman, Esq.  
13 Matt Lewis, Esq.  
14 Ray Quinney & Nebeker  
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16 **IT IS SO ORDERED:**

17 **DATED:** August 15, 2011

18  
19   
20 ROGER L. HUNT  
21 United States District Judge  
22  
23  
24  
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**CERTIFICATE SERVICE**

I hereby certify that, on August 11, 2011, I caused the foregoing document to be served via the ECF system on the following:

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FTC - Powder Monkeys Stipulated Motion RE \$99,883  
*FTC v. Jeremy Johnson., et al.*

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*For Jeremy Johnson, Cloud Nine Marketing, Inc., CPA Upsell, Inc., Elite Debit, Inc., Internet Economy, Inc., Market Funding Solutions, Inc., Success Marketing, Inc., and I Works, Inc.*

/s/ J. Ronald Brooke, Jr.  
J. Ronald Brooke, Jr.